THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.9641 of 2002

Dated:04.07.2007

Between
Chekuri Pattabhi Ramaiah

.....Petitioner

and

1.The Commissioner,
Endowments Department,
Tilak Nagar, Hyderabad
and others.

…Respondents

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ORDER:

This writ petition is filed at the time when the 3rd respondent-temple sought to auction Ac.7.99 cents of land.

The case of the petitioner is that an extent of Ac.7.99 cents in survey No.10/3 belonging to 3rd respondent was leased out to him and he is entitled to cultivate the same under the Andhra Tenancy Act and in fact, he was declared as such by a competent Tenancy Court.

Under these circumstances, the impugned auction notice proposing to hold auction on 26.5.2002 is quashed to the extent of Ac.5-00 of land, which is under cultivation of the petitioner subject to amendment of Section 82 of the Act 30/87. The respondents are at liberty to auction

the remaining land as per law.

Writ petition is allowed accordingly. No costs.

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4-7-2007

rkk